

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Senior Deputy Clerk.

**F039817      Uremovic v. Felger**

Cause called and argued by Warren P. Felger, Esq., appellant in propria persona and by Joseph A. Uremovic, Esq., respondent in propria persona.

Cause ordered submitted.

Court recessed until Thursday, March 13, 2003 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Jill Rivera, Assistant Deputy Clerk.

**F039547      DMP Development Corporation, Inc. v. City of Fresno**

Cause called and argued by Russell K. Ryan, Esq., counsel for appellant and by David J. Weiland, Esq., counsel for respondent.

Cause ordered submitted.

At this point Harris, J. leaves the bench and is replaced by Gomes, J.

**F038517      Carlson v. Frilot**

Cause called and Patricia Carlson, appellant in propria persona did not appear. Murray M. Aron, Esq., counsel for respondent, waived oral argument.

Cause ordered submitted.

Court recessed until Friday, March 14, 2003 at 10:00 A.M.

**F040300      Poeple v. Fizzell**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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**F040300      People v. Fizzell**

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038382      The Legacy Group et al. v. City of Wasco**

The judgment filed February 14, 2001, is reversed. Appellants shall recover their costs on appeal. Gomes, J.

We concur: Harris, Acting P.J.; Wiseman, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

**F041424      In re Candice V., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F041424      In re Candice V., a Minor**

The judgment court is ordered to correct Candice's custody credits prior to, and including the disposition hearing, to reflect 82 days of credit rather than 72 days of credit. The court shall send a corrected commitment order to CYA. In all other aspects, the orders of the juvenile court are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041915      Lisa J. v. Fresno Co. Dept. of Children & Family Services**

The petition for extraordinary writ is denied. This petition is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F039216      People v. Abina**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

IN THE

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IN AND FOR THE

Fifth Appellate District

**F039644      People v. Gonzalez**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F039644      People v. Gonzalez**

The sentences imposed for counts III & IV are stayed pursuant to Penal Code section 654. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F040638      In re Martin A., a Minor.**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F040638      In re Martin A., a Minor.**

The juvenile court is ordered to correct Martin's custody credits prior to, and including the disposition hearing, to reflect 254 days of credit rather than 228 days of credit. The court shall send a corrected commitment order to CYA. In all other respects, the orders of the juvenile court are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041916      A. J., v. Fresno Co. Dept. of Children & Family Services**

The petition for extraordinary writ is denied. This petition is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038546      People v. Camero**

Appellant's petition for rehearing filed herein is denied.

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**F039747      People v. Connery**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F039747      People v. Connery**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041962      People v. Superior Court, County of Stanislaus; Melvin Dismuke**

Filed modification of opinion (change in judgment). Opinion filed March 5, 2003, is modified as follows: Page 4, the last paragraph is deleted, and the following paragraphs inserted in its place: In light of this court's order reinstating petitioner's guilty plea, absent good cause for a continuance, time for sentencing in case Nos. 1006268 and 1021748 shall be set within 20 judicial days of the date of the finality of this opinion. Trial set for April 7, 2003, is stayed pending final determination of the petition.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F038804      People v. Foster**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F039204      People v. Bravo, Jr.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.